

FILED

JAN 12 2017

Clerk, U.S. District Court
District Of Montana
Billings

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEVON HASAN McDUFFIE,

Defendant.

CR 14-66-BLG-SPW

ORDER GRANTING
DEFENDANT'S MOTION TO
SUPPRESS ON REMAND
FROM CIRCUIT

On January 13, 2015, the Court denied Defendant McDuffie's Motion to Suppress evidence seized from his vehicle during a traffic stop. (Doc. 39). McDuffie subsequently pled guilty to the Superseding Information—reserving his right to appeal the denial of his Motion to Suppress—and was sentenced to 85 months of incarceration. (Docs. 41, 47, and 65). On December 1, 2016, the Ninth Circuit reversed the Court's Order denying McDuffie's Motion to Suppress. (Doc. 72). The Ninth Circuit issued its Mandate on December 23, 2016. (Doc. 73). Accordingly, for the reasons stated by the Ninth Circuit, the Court GRANTS McDuffie's Motion to Suppress (Doc. 17).

DATED this 12th day of January, 2017.



SUSAN P. WATTERS
United States District Judge